

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ABRAHAM AGUIRRE,

Defendant.

CASE NO. 1:21-MJ-00094-SAB

ORDER RE STIPULATION TO VACATE TRIAL
DATE; AND SET MOTIONS SCHEDULE; ORDER
REQUIRING DEFENDANT TO APPEAR IN
PERSON

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for trial on June 23, 2023.
2. On June 9, 2023, the defendant filed a motion to suppress. (Doc. 26).
3. The government needs additional time to conduct factual and legal research and prepare a response to the motion to suppress. The defendant has no opposition to the request.

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4. The parties therefore request that the Court vacate the June 23, 2023 trial date, set a briefing schedule (as proposed below), and set a hearing on the motion to suppress and status hearing on July 20, 2023 at 11:00 am. Proposed Briefing Schedule:

Event	Deadline
United States Opposition to Motion	June 30, 2023
Defense Reply (if any)	July 10, 2023
Hearing	July 20, 2023 at 11:00 am

IT IS SO STIPULATED.

Dated: June 15, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ JEFFREY A. SPIVAK
JEFFREY A. SPIVAK
Assistant United States Attorney

Dated: June 15, 2023

HEATHER WILLIAMS
Federal Defender

/s/ Laura Myers
Laura Myers
Counsel for Defendant
Abraham Aguirre

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ORDER

Pursuant to the parties' stipulation and finding good cause, IT IS HEREBY ORDERED that:

1. The trial set for June 23, 2023, is VACATED;
2. The Government's opposition to the motion to suppress shall be due on June 30, 2023;
3. Defendant's reply brief shall be due July 10, 2023;
4. A hearing on Defendant's motion to suppress and a status hearing is set for July 20, 2023, at 11:00 a.m., in Courtroom 9; and
5. Defendant is ordered to appear in person for the suppression hearing and any trial, and the remaining conditions above are acceptable to the Court.

IT IS SO ORDERED.

Dated: June 16, 2023


UNITED STATES MAGISTRATE JUDGE